

EXHIBIT B

From: Lowman, David <David.Lowman@fultoncountyga.gov>
Sent: Tuesday, June 8, 2021 3:52 PM
To: Adam M. Sparks; Ringer, Cheryl
Cc: Halsey G. Knapp, Jr.
Subject: RE: Re: Curling v. Raffensperger - Election Equipment Request

Mr. Sparks,

It is our understanding that releasing the equipment is contrary to the provisions of Ga. Comp. R. & Regs. r. 183-1-12-.04, -.05, and -.06. Further, we cannot do so pursuant to the software licensing agreement with Dominion. As the State has indicated in its pleadings related to the discovery dispute, there are federal law implications for the County with respect to releasing equipment that was used in an election, as DOJ advised Arizona officials when they handed equipment over to the group that is conducting their review of the presidential election.

We therefore, cannot voluntarily provide these items, though of course we would comply with any Court order directing Fulton County to provide said equipment and data for inspection by Plaintiffs within the bounds of the protective order and subsequent orders concerning inspection entered in this case.

Please direct any correspondence to Cheryl Ringer (and copy me) re: outstanding discovery in this case. Thanks.



David R. Lowman

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From: Adam M. Sparks [mailto:sparks@khlawfirm.com]
Sent: Tuesday, June 8, 2021 1:28 PM
To: Ringer, Cheryl <Cheryl.Ringer@fultoncountyga.gov>
Cc: Lowman, David <David.Lowman@fultoncountyga.gov>; Halsey G. Knapp, Jr. <hknapp@khlawfirm.com>
Subject: RE: Re: Curling v. Raffensperger - Election Equipment Request

Good afternoon Cheryl and David,

I hope you're well. I wanted to follow up after getting to speak briefly with David yesterday morning.

If I understand correctly, your clients have taken no position on the discovery dispute currently pending before Judge Totenberg, concerning the provision of certain election equipment used in the November 2020 election, peripherals and passcodes necessary to use that equipment, and a forensic image of one or more EMS servers as described in D.E. 1094 and discussed with the Court this past Wednesday. Your clients also will comply with any Court order directing Fulton County to provide said equipment and data for inspection by Plaintiffs within the bounds of the protective order and subsequent orders concerning Plaintiffs' inspection entered in this case. Is my understanding correct?

This is notwithstanding our request to know whether Fulton County is willing and able to voluntarily provide these items, which David said on our call he has discussed or will soon discuss with Cheryl and/or your clients. Please let us know that as well.

Lastly, please also let me know the appropriate contact person to follow up on outstanding written discovery and/or document production in this case, so that I am not increasing your respective email volumes without reason.

Thank you,



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From: Adam M. Sparks
Sent: Thursday, June 3, 2021 9:48 AM
To: Ringer, Cheryl <Cheryl.Ringer@fultoncountyga.gov>
Cc: 'Lowman, David' <David.Lowman@fultoncountyga.gov>; Halsey G. Knapp, Jr. <hknapp@khlawfirm.com>
Subject: Re: Curling v. Raffensperger - Election Equipment Request

Good morning Cheryl,

I hope this email finds you well. I write concerning time-sensitive discovery in the *Curling* litigation, most urgently about election equipment Plaintiffs seek under the Court's expedited schedule.

As you may know, some of the parties participated in a discovery dispute teleconference with Judge Totenberg yesterday afternoon regarding D.E. 1094, Curling Plaintiffs' request of State Defendants for certain equipment used in and unaltered since prior elections that is relevant to their claims and to multiple State Defendants' defenses. The Court took the request under advisement and directed the parties to keep moving forward with discovery.

We want to know whether your clients will provide to Plaintiffs for expert inspection a forensic image of Fulton County's EMS server that is unaltered since the November 2020 general election and January 2021 runoff. If we could also obtain a BMD, scanner, and printer used in the November 2020 general election, also unaltered since then (and with whatever access cards, passcodes, etc. are needed to ensure they work), that would be ideal. We contemplate examining these items under the same Court-ordered terms that we are observing in examining the prior equipment Fulton provided for inspection. Those remain under lock, key, and camera at our office.

Given our schedule, we would appreciate a response regarding your clients' willingness and ability to provide any or all of this equipment by tomorrow, given Plaintiffs' July 1, 2021 deadline for transmitting initial expert reports. That is not to say we would expect to receive equipment by tomorrow, only that we understand your clients' willingness to provide it (and roughly when). Of course, if we can provide additional information that would be helpful, we're happy to do so.

Secondly, please let me know whom on your team we should follow up with about outstanding written discovery and related document productions. Given the discovery schedule, this is also time-sensitive but admittedly less urgent than our request concerning the election equipment.

Thank you,

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